



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,581	04/21/2004	Yaacov Ben-Yaacov	6995P001X	6720
92129	7590	07/29/2010		
Catch Media/Blakely 1279 Oakmead Parkway Sunnyvale, CA 94085-4040			EXAMINER	
			SELLERS, DANIEL R	
			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			07/20/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/829,581

Applicant(s)

BEN-YAACOV ET AL.

Examiner

DANIEL R. SELLERS

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-9, 13, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-9, 13, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notes of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 4-9, 13, 16, and 17 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

2. The drawings were received on 5/18/09. These drawings are acceptable.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. **Claims 1, 4-6, 13, 16 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (previously cited), US 2004/0058649 A1, in view of Fadell et al., US 2004/0224638 A1 (previously cited and hereinafter Fadell) with evidence from Csicsatka, US 2003/0158737 A1 (previously cited), further in view of Thielen (previously cited), US 2004/0117442 A1, and further in view of Ogai, US 2003/0177073 A1.

5. Regarding **claim 1**, Grady teaches a hand-held music player for use in conjunction with radios, comprising:

a casing (see ¶ 0073 and figure 18, show an iPod™ (hereinafter IPOD), which has a casing) ;

a mini-jack socket on said casing to play music into a headphone (see ¶ 0073 and figure 18, unit 259 in view of Thielen);

a first transfer socket on said casing, through which an analog song is transferred to an external radio transmitter, the external radio transmitter being an FM or an RF transmitter (see ¶ 0039-0040, 0064 and figure 12, unit 226)...;

a second transfer socket on said casing, distinct from the mini-jack socket and the first transfer socket, (see ¶ 0073 and figure 18, unit 259)

Grady teaches a modular FM transmitter for transmitting the audio playback of an IPOD, or similar device (see abstract and ¶ 0009-0012). However, Grady does not teach:

a first transfer socket distinct from the mini-jack socket..., and the external radio transmitter comprising a radio data system (RDS) transmitter and

a second transfer socket... "through which digital song and meta-data for the song are received from a digital music library, and through which the meta-data for the song is transferred to the radio transmitter for transmission by the radio transmitter as RDS data, wherein the meta-data comprises a name and an identification number for the hand-held music player"

Fadell teaches methods for a portable media device to communicate with other devices (see abstract). Specifically, Fadell teaches the IPOD as an exemplary embodiment of the portable media device (see ¶ 0043). Fadell similarly teaches a mini-jack socket to play music into a headphone (see ¶ 0055 and figure 1, unit 116). Fadell, also, teaches a second socket on said casing, distinct from the mini-jack socket, through which a digital song and meta-data is transferred (see ¶ 0055-0057, 0060-0062, figure 1, unit 118, and figure 2, unit 158A). Specifically, Fadell teaches that there may be one or more data ports on the hand-held music player by design (see ¶ 0057), and the data connection between the hand-held music player and a media device many different connections (e.g. digital or analog audio) in different connectors (e.g. USB or

FIREWIRE) (see ¶ 0062 and figure 2). Fadell further teaches that the media device may be a docking station with various connections (see ¶ 0074, 0076, 0081, and figure 2, unit 154, figure 5, unit 214, figure 6C, and figure 7C, units 268 and 270). Fadell teaches a multitude of design choices, and illustrates that a docking station can expand a connector on hand-held music player (see figure 2, unit 158A) to a first transfer socket, distinct from the mini-jack, through which an analog song can be transferred (see figure 7C, unit 270). can be transferred (see ¶ 0055). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Grady and Fadell for the purpose of transferring songs from a computer to a digital audio player for portability. Csicsatka, US 2003/0158737 A1, is evidence of a portable digital audio player with a separate headphone and a line-out socket (i.e. a mini-jack socket distinct from the first socket) (see abstract, ¶ 0050, and figure 1, units 17 and 41). However, the combination does not teach or make obvious:

... "and the external radio transmitter comprising a radio data system (RDS) transmitter"...

... "through which the meta-data for the song is transferred to the radio transmitter for transmission by the radio transmitter as RDS data, wherein the meta-data comprises a name and an identification number for the hand-held music player"

"circuitry to process the digital song and meta-data received by said second transfer socket from the digital music library, to generate the analog song transferred by said first transfer socket to the radio transmitter, to generate the meta-data transferred by said second transfer socket to the radio transmitter, and to generate the music played by said mini-jack socket into the headphone."

Thielen teaches a hand-held music player for use in conjunction with radios, which is capable of sending metadata to the radio transmitter to be

transmitted to the radio (see ¶ 0049-0050 and 0129). Thielen teaches a second socket on said casing through which digital audio data is received (see ¶ 0015). Ideally, Thielen teaches an all-in-one solution (see figures 3 and 10, unit 20), wherein the text (i.e. meta-data) is transmitted by the FM transmitter using RDS (see ¶ 0129). However, Thielen also teaches a modular solution, like that taught by Grady (see Thielen, ¶ 0213 and 0217-0220). It would have been obvious for one of ordinary skill in the art at the time of the invention to use circuitry (see Thielen, ¶ 0128-0129, 0213, and 0217-0220) to convert the received digital audio to analog to transmit it to the radio via frequency modulation and to convert the received digital meta-data to RDS data for the purpose of displaying pertinent data, such as the artist and song title to car passengers (see Fadell, ¶ 0055, figure 1, unit 118 and figure 6C). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Grady, Fadell, and Thielen with evidence from Csicsatka for the purpose of better display of meta-data. However, the combination still does not appear to teach or make obvious:

..."through which the meta-data for the song is transferred to the radio transmitter for transmission by the radio transmitter as RDS data, wherein the meta-data comprises a name and an identification number for the hand-held music player"

Ogai teaches a prior art method of embedding licensing information in purchased digital content (see Ogai, abstract). Specifically, Ogai teaches nicknames and apparatus IDs for registering apparatuses and allowing the

digital content to be played, wherein this teaches meta-data comprising a name and an identification number for the receiving device (e.g. a car radio with RDS receiving capabilities) and the transmitting device (i.e. the hand-held music player) (see Ogai, ¶¶ 0061, 0067, 0145 and figures 3, 15A, and 15B). It would have been obvious at the time of the invention for one of ordinary skill to combine the teachings of Grady, Fadell, Thielen, and Ogai with evidence from Csicsatka for the purpose of allowing only registered devices to playback the purchased media.

6. Regarding **claim 4**, see the preceding argument with respect to claim 1. The combination teaches the hand-held music player of claim 1, further comprising an LED display to display the meta-data transferred by said second transfer socket to the radio transmitter (see Grady, ¶¶ 0075-0076 and figure 19 and Fadell, ¶¶ 0047, wherein the display is backlit by an LED).

7. Regarding **claim 5**, see the preceding argument with respect to claim 1. The combination teaches the hand-held music player of claim 1, further comprising an LCD display to display the meta-data transferred by said second transfer socket to the radio transmitter (see Fadell, ¶¶ 0047 and/or Thielen, ¶¶ 0117 and 0139).

8. Regarding **claim 6**, see the preceding argument with respect to claim 1. The combination teaches the hand-held music player of claim 1, wherein the second transfer socket comprises a USB socket (see Grady, ¶¶ 0073).

9. Regarding **claim 13**, see the preceding argument with respect to claim 12. The combination teaches the hand-held music player of claim 12, wherein the meta-data transferred by the second transfer socket to the radio transmitter includes the name of the analog song being transmitted by the first transfer socket to the radio transmitter. Thielen teaches associated text information and it is obvious that this includes a name of the song currently being transmitted.
10. Regarding **claim 16**, see the preceding argument with respect to claim 10. The combination teaches the hand-held music player of claim 10, further comprising a frequency selector, for selecting a broadcast frequency for transmission by the radio transmitter (see Thielen, ¶ 0128).
11. Regarding **claim 17**, see the preceding argument with respect to claim 16. The combination teaches the hand-held music player of claim 16, wherein said frequency selector comprises a tuner for scanning radio frequencies (see Thielen, ¶ 0133).
12. **Claims 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Grady, Fadell, Thielen, and Ogai with evidence from Csicsatka with additional evidence as applied to claim 6 above, and further in view of Official Notice of well-known prior art (admitted as prior art because applicant had not traversed the original rejection on 6/27/2008, see MPEP 2144.03 C).

13. Regarding **claim 7**, see the preceding argument with respect to claim 6. The combination teaches the hand-held music player of claim 6. However the combination does not specify if the USB socket is a USB 1.1 socket.

The Office takes *Official Notice*, wherein it is well-known in the prior art at the time of the invention by one of ordinary skill in the art that USB 1.1 and 2.0 could be implemented. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Grady, Fadell, Thielen, Ogai, and well-known prior art with evidence from Csicsatka for the purpose of supporting low-speed USB 1.1 devices to ensure compatibility. Likewise it would be obvious to support the high-speed USB 2.0 interface to ensure the fastest transfer rates of digital data when possible.

14. Regarding **claim 8**, see the preceding argument with respect to claims 6 and 7. The combination teaches the hand-held music player of claim 6, wherein said USB socket is a USB 2.0 socket.

15. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Grady, Fadell, Thielen, and Ogai with evidence from Csicsatka as applied to claim 6 above, and further in view of Matsuda et al., US 6,774,604 B2 (previously cited and hereinafter Matsuda).

16. Regarding **claim 9**, see the preceding argument with respect to claim 6. The combination of Grady, Fadell, and Thielen with evidence from Csicsatka

teaches the features of claim 6. However, the combination does not teach a USB on-the-go (OTG) socket.

Matsuda teaches a USB OTG socket for charging a digital device from another portable device or charging the portable device from the digital device (column 9, lines 1-60). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Grady, Fadell, Thielen, Ogai, and Matsuda with evidence from Csicsatka for the purpose of charging the digital player from another portable device.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Juntunen et al., US 6,163,711 A (previously cited) - teaches an FM/RDS transmitter system (abstract);

James, US 6,671,494 B1 (previously cited) - teaches an add-on FM transmitter (abstract);

Saubade, US 2004/0049559 A1 (previously cited) - teaches a DARC encoder to provide text in a sideband (abstract and ¶ 0042);

Strietelmeier, Julie, "Gadgeteer Hands On Review: Apple iPod (3rd Generation 30GB Model)", 06/06/2003 (previously cited) - teaches about the

iPod (pp. 1-10) and evidence that a line out is helpful for driving speakers (see p. 5, end of third paragraph);

Staff, "Griffin Technology Ships New iTrip for 3rd Generation iPods", 10/08/2003 (previously cited) - teaches about an FM add-on to the iPod (pp. 1-2);

David Carey, "Apple's iPod packs a pricey punch" (previously cited and hereinafter Carey), is evidence to teach a dial on the IPOD casing (see p. 1, ¶ 4, second sentence and p. 3, top left of figure, which teaches a navigation scroll wheel, or dial, assembly); and

Mankovitz, US 5,161,251 A (previously cited), teaches sending audio from a compact disc and associated metadata to a FM transmitter (see abstract and figures 1 and 9).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL R. SELLERS whose telephone number is (571)272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel R. Sellers/
Examiner, Art Unit 2614

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614